

ALABAMA'S
TOLL-FREE NUMBER
FOR
AMERICANS WITH DISABILITIES ACT
INFORMATION

*Your One-Stop
ADA Information Source*

1-800-205-9986

1-888-574-2257 (TTY)

www.rehab.state.al.us/ada



FY 2005 ANNUAL REPORT



Alabama Department of
REHABILITATION SERVICES

**ALABAMA'S TOLL-FREE
ADA INFORMATION LINE**
1-800-205-9986
1-800-574-2257 (TTY)

Dear Legislators,

The Alabama Department of Rehabilitation Services is pleased to provide the Americans with Disabilities Act Information Line, a service that provides the public with the most-current information available about the ADA. By increasing understanding and knowledge of this important legislation, ADRS is able to partner with business, industry, and other organizations to enhance the lives of tens of thousands of Alabamians with disabilities of all ages.

Thank you for your support of this service, our department, and its mission of enabling Alabama's children and adults with disabilities to achieve their maximum potential.

Sincerely,



Steve Shivers, Commissioner
Alabama Department of
Rehabilitation Services

Dear Legislators,

It continues to be my pleasure to serve as coordinator of Alabama's toll-free ADA Information Line. The ADA Information Line remains a reliable, user-friendly source of information which serves a wide audience — from state and local governments to private businesses and individual citizens. As interpretation of the ADA continues in our courts, the information and technical assistance available through this public service are even more important in helping clarify this legislation. I look forward to the opportunity during FY 2006 to further increase public awareness of this important legislation and how it can improve the quality of life for all Alabamians.

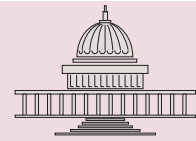
On behalf of those who use the toll-free ADA Information Line, I wish to again express my appreciation to you and the Governor for your ongoing support of this public service.

Sincerely,



Graham L. Sisson, Jr.
Assistant Attorney General for
Alabama's Toll-free ADA Line

Background



In 1998, the Legislature passed Act No. 98-255, which created a service in the Alabama Department of Rehabilitation Services to provide information on rights and responsibilities under the Americans With Disabilities Act. The service was initially funded on October 1, 1998, and was activated through the use of a toll-free telephone line. By January 1999, a toll-free TTY number was added to make this service accessible to persons with hearing or speech impairments. A new NexTalk number (800-499-1816) will be applied to the toll-free number to allow another option for accessing the toll-free number for persons with hearing or speech impairments. Calls received on either line after regular office hours are recorded by a voice mail system.

The Act established the duties of this service, which include providing public information/education, referral, training, data collection, and analysis. A database was compiled to collect and analyze information made available through each call. Collected information includes each caller's name, address, phone number (when provided), date of call, date of response, referral (if necessary), description of complaint or information request, type of information disseminated and a description of the response to each call.

At the beginning of each call, it is expressly stated that any information provided is nonbinding and that there is no attorney-client relationship established. Confidentiality is maintained at all times unless expressly waived by the caller.

The Americans With Disabilities Act

The Americans With Disabilities Act was signed into law July 26, 1990. Many of its provisions did not become effective until two years later. The law was drafted in very broad terms to benefit as many persons as possible. Due to this fact, there continues to be much confusion regarding applicability and interpretation of its terms, such as *disability*, *reasonable accommodation*, *undue hardship*, *readily achievable*, etc. This is compounded by the reality that many of these terms are to be decided or determined on a case-by-case basis.

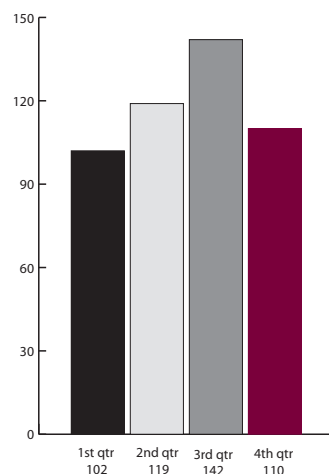
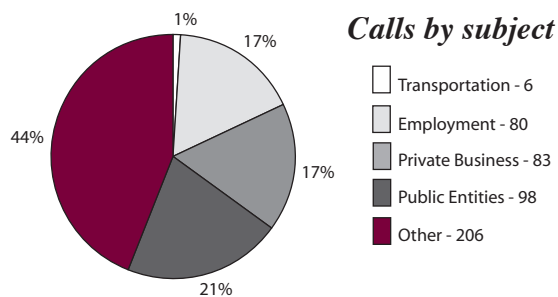
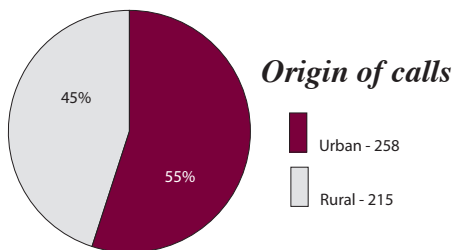
Since many of its terms are ambiguous, there continues to be substantial litigation. In fact, the U.S. Supreme Court in Spector vs. Norwegian Cruise Lines addressed the issue of whether Title III of the ADA applies to cruise lines operating under a foreign flag. The court found that cruise ships are covered by Title III. Another case on appeal to the U.S. Supreme Court is Goodman vs. Georgia. The court will decide whether prisoners are entitled to reasonable accommodation. These cases demonstrates the ongoing interpretation of the ADA and underscores the value of providing information to the general public through this department's consumer-friendly service.

PERFORMANCE

Summary of Calls

Specifically, the nature of calls in FY 2005 was slightly different from the calls in FY 2004. The majority of calls received continued to be from consumers with disabilities. Many continue to deal with employment issues such as reasonable accommodations, job promotions, hiring and termination. Some callers only needed basic ADA information such as actual text of the law, website locations, and applicability of the ADA. Other callers inquired about physical accessibility issues involving building entrances, bathrooms, height of countertops, parking spaces, door closure pressure, etc. Response to calls continued to include applicable sections of the law and its regulations and referral to relevant provisions of other laws such as the Rehabilitation Act, Air Carriers Access Act, the Fair Housing Act, and Architectural Barriers Act. When appropriate, callers were referred to sources of further assistance including the Alabama Department of Rehabilitation Services, the Alabama Disability Advocacy Program, independent living centers, the Special Education Action Committee, the Governor's Office on Disability, U.S. Department of Justice, Office of Fair Housing and Equal Opportunity, and other federal entities. The number of calls increased to 473 with slightly more calls coming from urban areas than from rural areas.

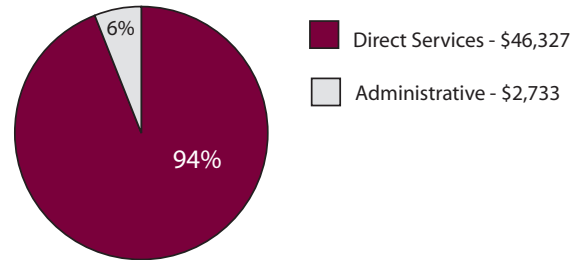
CALLS - 473



Calls received per quarter

Total: 473

FY 2005 Budget - \$49,060



Public Awareness and Outreach

A flier describing the service and publicizing the ADA toll-free voice number and the 1-800 TTY number continued to be widely distributed among statewide disability organizations such as:

- Alabama Department of Rehabilitation Services' Consumer Advisory Councils
- Governor's Office on Disability
- Alabama disAbility Commission
- ADA Partners of Alabama
- The Special Education Action Committee
- Alabama Independent Living Centers
- Council of Organizations Serving Deaf Alabamians (COSDA)
- Alabama Disability Action Coalition (ADAC)

The ADA information 1-800 number continues to be an accurate one-stop ADA information source.

Written materials provided to callers:

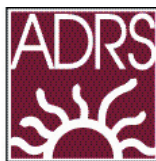
- ADA Q&A Booklets
- Titles I, II, III Technical Assistance Manuals
- Guide to Disability Rights Laws
- Text of ADA
- ADA Accessibility Guidelines
- Employment Rights Under ADA Booklet
- Employer's Responsibilities Under ADA Booklet
- ADA and Worker's Compensation EEOC Guidance
- EEOC Guidance on Definition of Disability
- ADA and Schools Booklet
- ADA and Restaurants Booklet
- ADA Information and Referral Sheet
- EEOC Guidance on Psychiatric Disabilities
- EEOC Guidance on Pre-employment Inquiries
- Readily Achievable Checklist
- Titles I, II, III Regulations
- Department of Justice status reports on ADA enforcement
- EEOC Guidance on Reasonable Accommodation
- DOJ Guidance on Hotels and Motels
- Fair Housing Act Requirements
- Summary of Rehabilitation Act Requirements
- DOJ Guidance on Places of Lodging
- JAN Pamphlet
- Air Carrier Access Act Information
- DOJ Consent Settlements
- ADA and Service Animal Booklet
- ADA Guide for Small Businesses
- VA Handbook for Design of Accessible Homes
- DOJ Polling Place Survey Checklist
- DOJ Core Service Opinion Letters
- DOJ Guidance on Emergency Preparedness

Total Number of Written Materials Provided: 347

ADA TRAINING AND TECHNICAL ASSISTANCE

During FY 2005, in addition to the educational services provided via the toll-free ADA Information Line, on-site ADA training sessions were conducted across the state. These presentations were generated by requests made through the ADA Information Line on behalf of a number of diverse organizations and groups. ADA training was provided to the following groups during FY '05:

10/4/04 ADA Overview, Tuskegee University
10/29/04 ADA Update, Vocational Rehabilitation Service, Birmingham Blind and Deaf Section, Oneonta
10/25/05 ADA Overview, Birmingham Independent Living Center
11/3/04 ADA and Career Centers Overview, Birmingham
11/8/04 ADA Overview, Birmingham Diversity Group
11/16/04 ADA Overview and History, Early Intervention Conference, Mobile
12/14/04 ADA Employment Rights Training, Anniston Career Center
1/20/05 ADA Employment Update, Alabama Governor's Committee on Employment of People with Disabilities, Dothan
1/21/05 ADA Title II, Hamilton Career Center
1/25/05 ADA Title II, Birmingham Independent Living Center
3/3/05 ADA Update, Department of Human Resources, Montgomery
3/7/05 ADA Overview, Auburn Transition Conference
3/9/05 ADA Overview, University of North Alabama Disabilities Awareness Day, Florence
3/17/05 ADA and Childcare Centers, Child Care Resources, Inc., Birmingham
3/24/05 ADA Jeopardy, ADRS Secretaries Meeting, Montgomery
4/1/05 ADA Overview and Advocacy, Transition Conference, Double Springs
4/5/05 ADA Update, Individual and Family Supports Council Meeting, Tuscaloosa
4/14/05 ADA 11th Circuit Case Law Update, Attorney General's Seminar, Montgomery
5/5/05 ADA Overview and Advocacy, Transition Conference, Monroeville
5/1/05 ADA Employment Requirements, Employer Seminar, Jasper Career Center
5/13/05 ADA Overview and Advocacy, Wadley High School, Wadley
5/24/05 ADA Overview and Awareness, University of North Alabama Students, Camp ASCCA, Jackson's Gap
5/25/05 ADA Title III, Birmingham Independent Living Center
6/2/05 ADA Overview, Sparks Clinic, Birmingham
6/9/05 ADA College Prep Training, Mobile
6/10/05 ADA Employment Update, Multiple Sclerosis Society Support Group, Birmingham
6/21/05 ADA College Prep Training, Montgomery
6/23/005 ADA College Prep Training, Mobile
7/18/05 ADA Overview, Montgomery Legal Secretaries Meeting
7/18/05 ADA College Prep Training, Montgomery
8/10/05 ADA and Fair Housing Rights, Huntsville Department of Housing and Urban Development
8/16/05 ADA and Disclosure, Pinson Multiple Sclerosis Support Group
8/22/05 ADA and Transportation, Birmingham
9/16/05 ADA Employment Rights Overview, Multiple Sclerosis Society, Birmingham



Alabama Department of

REHABILITATION SERVICES

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In the provision of services and in employment practices, the Alabama Department of Rehabilitation Services does not discriminate on the basis of race, sex, creed, national origin, religion, age or disability.

This material is available in alternate format upon request.